

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark DeRaud and Adam Gambel

U.S. Application No.: 09/954,491

Filed: September 11, 2001

For: **A METHOD OF CONFIGURING A
SLICE OF A PIZZA-TYPE PIE AND AN
APPARATUS FOR PREPARING A
PIZZA TYPE PIE**

) Group Art Unit: 1761

) Examiner: Not yet assigned

) **TRANSMITTAL OF DUPLICATE COPY
OF RESPONSE TO OCTOBER 24, 2001
NOTICE TO FILE MISSING PARTS**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being
Deposited with the United States Postal Service as first class mail in
an envelope addressed to Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on February 6, 2002.

By: Sandra D. Hunter
Sandra D. Hunter

Commissioner of Patents
Washington, D.C. 20231

Sir:

As a result of USPS mail delays, it has come to our attention that a Response to Notice of Missing Parts, which was timely mailed on November 2, 2001 for the above-referenced application, has not yet been received by the U.S. Patent and Trademark Office. In an abundance of caution, we enclose a **duplicate copy** of the Response to October 24, 2001 Notice to File Missing Parts mailed to the U.S. Patent and Trademark Office on November 2, 2001, as provided in the certificate of mailing pursuant to 37 C.F.R. § 1.8.

Also enclosed is a **duplicate copy** of each document that accompanied the Response to Notice of Missing Parts, as directed on the USPTO web page titled "Processing of, and Requirements for, the Filing of Duplicate Applications and Papers in Patent Applications in view of USPS Mail Delays." The documents are as follows:

1. A copy of Notice to File Missing Parts of Nonprovisional Application;
2. A copy of Certificate of Mailing dated November 2, 2001;
3. A copy of Declaration (executed on two separate signature pages);

4. A copy of Power of Attorney (executed on two separate signature pages);
5. A copy of check number 7545 in the amount of \$65.00 fee (small entity status claimed); and
6. A copy of Return postcard mailed November 2, 2001.

Also enclosed are a new Check number 7829 in the amount of \$65.00, and a return post card for this mailing of February 6, 2002.

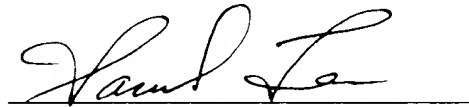
The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication or credit any overpayment to Deposit Account No.04-0822. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

DERGOSITS & NOAH LLP

Dated: February 6, 2002

By:



Samuel S. Lee

Registration No. 41,938

DERGOSITS & NOAH LLP
FOUR EMBARCADERO CENTER, SUITE 1150
SAN FRANCISCO, CA 94111
(415) 705-6377

WELLS FARGO BANK, N.A.
SAN FRANCISCO, CA
91-119/1221

7545

November 2, 2001

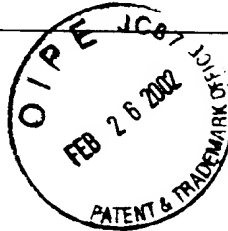
PAY TO THE
ORDER OF Assistant Commissioner for Patents

\$ 65.00

**Sixty-five dollars 00/100

DOLLARS

Assistant Commissioner for Patents
Washington, D.C. 20231



MEMO _____

Michael E Dergosits

⑈007545⑈ ⑆122101191⑆0515 222859⑈

DERGOSITS & NOAH LLP
CHECK DATE

PAYEE

INVOICE NO.

CHECK AMOUNT

7545

November 2, 2001 Assistant Commissioner for Patents

\$65.00

DESCRIPTION

Surcharge late filing of
inventor's declaration
5512 \$65.00

Serial No. 09/154,491 File No. 512.02 By SSL/al

In the Matter of the Application of Gambel & De Laun

Date Mailed 11/2/01

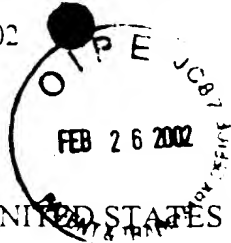
Due Date

The following has been received in the U.S. Patent Office on the date stamped hereon.

- ☒ Declaration *signed*
- ☒ Power of Attorney *signed*
- ☒ Check #7545 \$765.00
- ☐ Deposit Account Order Form
- ☐ Drawings _____ sheets
 - ☐ Informal
 - ☐ Formal
- ☐ Assignment
- ☒ Letter (transmittal)
- ☐ Information Disclosure
 - ☐ (Prior Art) Statement
- ☐ Notice of Appeal
- ☐ Extension of Time Request
- ☐ Amendment / Response
- ☐ Affidavit
- ☐ Petition

- ☐ ITU Trademark Application
- ☐ Issue Fee Transmittal Form
- ☐ Trademark Appln. & Specimens
- ☐ Sec. 8 & 15 Affidavits
- ☐ Trademark Renewal Appin.
- ☐ Utility (regular) Appin.
- ☐ Design Patent Appin.
- ☐ Plant Appin.
- ☐ Terminal Disclaimer
- ☐ PCT Appin.
- ☐ Small Entity Declaration
- ☒ Certificate of Mailing
- ☐ Express Mail Certificate
- ☒ Other *Copy of Notice to*

file missing parts



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In re Application of:) Group Art Unit: Not yet assigned
 Mark DeRaud and Adam Gambel)
) Examiner: Not yet assigned
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**RESPONSE TO OCTOBER 24, 2001
 NOTICE TO FILE MISSING PARTS**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on November 2, 2001.

By: 

Ann Lauber

Sir:

In response to the Notice to File Missing Parts mailed October 24, 2001, Applicant hereby submits the following for filing:

1. Copy of Notice to File Missing Parts of Nonprovisional Application;
2. Declaration (executed on two separate signature pages);
3. Power of Attorney (executed on two separate signature pages);
4. Check in the amount of \$65.00 fee (small entity status claimed) and
5. Return postcard.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication or credit any overpayment to Deposit Account No.04-0822. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

DERGOSITS & NOAH LLP

Dated: November 2, 2001

By: 

Samuel S. Lee

Registration No. 41,938

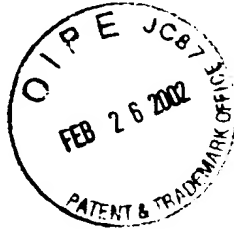


UNITED STATES

AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USPTO.GOV

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/954,491	09/11/2001	Mark E. DeRaud	512.02

DERGOSITS & NOAH LLP
Suite 1150
Four Embarcadero Center
San Francisco, CA 94111CONFIRMATION NO. 8054
FORMALITIES LETTER

OC00000006906835

Date Mailed: 10/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

RECEIVED 03/04/2002 09:00:00
03/04/2002 09:00:00
03/04/2002 09:00:00A copy of this notice **MUST** be returned with the reply.03/04/2002 09:00:00
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/04/2002 09:00:00
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